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various references that enable forming patterns on textile materials. However, the present claims do not purport to cover MERELY forming patterns on textile materials. Rather, the present claims cover forming specific types of patterns on textile materials which had never been previously formed before in this way. It is respectfully suggested that the rejection impermissibly attempts to ignore vital claim limitations.

The rejection admits that the difference between the present claims and the '444 Patent is that certain ones of the present claims describe a camouflage pattern. While admittedly both sets of claims define using an output file to form a pattern on denim, nowhere does the '444 pattern teach or suggest that the output file is an output file defining a camouflage pattern. In fact, the formation on a camouflage pattern in this way is not at all obvious from '444. The rejection alleges that it would have been obvious to use the prior art techniques to scribe a variety of types of graphics. This is respectfully suggested to be based on hindsight. Prior to the present application, no one ever suggested forming a camouflage pattern in this way. In fact, it is believed that camouflage patterns had been formed by silkscreening and other ink processing techniques. No one has ever suggested forming a camouflage pattern by partly changing a color of scribing material using a laser, as claimed. Accordingly, the technique of forming such a camouflage pattern by fading a part of the material is not in any way taught or suggested by the cited prior art.

Similar claims stand rejected based on obviousness type double patenting based on enumerated claims of U.S. Patent No. 6,140,602. Again, this contention is respectfully traversed. Nothing in '602 in any way teaches or suggests that its techniques could be applied to form a camouflage pattern. In fact, all of this is based on

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hindsight, since nowhere does the prior art teach or suggest formation of a camouflage pattern in this way. The prior art apparently formed camouflage patterns using ink type techniques such as silkscreening. Nowhere is there anything that would lead one having ordinary skill in the art to use a laser based technique to form a camouflage pattern. The ONLY teaching to do this is in the present specification, not in the prior part. Hence, the rejection is based on teaching that is itself based on hindsight.

Claims 1-4, 7, 9, 11-15, 17, 19-21, 24, 26, 27, 29 and 30 stand rejected under 35 U.S.C. 103 as allegedly being anticipated by U.S. Patent No. 5,567,207 to Lockman. This contention is respectfully traversed. Admittedly Lockman teaches forming a graphic pattern on denim. While Lockman does teach multiple different patterns, nowhere is there any teaching or suggestion in Lockman of forming a camouflage pattern as claimed. It is therefore respectfully suggested that the rejection omits a crucial aspect of the present claims. Specifically, nowhere does Lockman teach controlling "a laser to form said camouflage pattern on the textile material" as claimed (quoting from claim 1). Therefore, it is respectfully suggested that claim 1 should be allowable along with the claims which depend therefrom.

The dependant claims, moreover, should be allowable for additional reasons. For example, claim 2 defines that the definition of the camouflage pattern comprises "defining a unique output file which is unique for a single application to the textile material". Nowhere does Lockman teach or suggest forming a unique output file in this way. In fact, Lockman teaches a graphic pattern which is presumably a pattern that is used multiple times. Nowhere does Lockman teach or suggest that the pattern is in any way unique, as claimed. Therefore, claim 2 should be allowable on its own merits.

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Claims 3 specifies the user interface and specifically that the user interface includes an image with a plurality of different portions, and each portion being associated with the power output of the laser. Claim 4 defines additional detail in that each of the portions is a specified color. Nowhere does Lockman in anyway teach or suggest this specific user interface, much less the user interface that has a display showing specified colors to represent specified laser powers. Admittedly, the output of the laser would itself change the look of the textile material, and hence change its color. However, there is no teaching or suggestion of using a user interface which has different colors to represent different laser powers, as claimed. Therefore, claim 4 should be even further allowable.

Claim 7 defines that the power output is a level of energy density per-unit time which is not in anyway taught or suggested by Lockman. Claim 9 defines scanning of the laser in lines, and that at least one of the lines has a varying power within the line. Lockman never teaches or suggests this feature. In fact, Lockman does not described power output, much less varying the power output.

Claim 11 specifies the color user interface as described above with respect to claim 4. This should be allowable for reasons described above.

Claim 13 should be allowable for reasons discussed above with respect to claim 2. Specifically, claim 13 defines the unique shape being formed, which is nowhere taught were suggested by Lockman. Claim 14 defines the color user interface which again is not taught or suggested by Lockman. Claim 15 defines energy density per-unit time, a concept which is totally foreign to Lockman. Claim 17 defines the variable

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power within the line, and as described above, this is not taught or suggested by Lockman.

Claims 19-21 define the specific camouflage shape, and rounded edge shapes, and polygonal shapes. Nowhere does anyone in the prior art teach or suggest a unique material of this type. Therefore, these specific shapes are not in any way taught or suggested by the cited prior art. Claim 27 defines the color user interface which as described above is nowhere taught or suggested by Lockman.

In summary of the above, Lockman merely teaches a system that shows how to change the look of the textile material with a laser. It shows nothing about the specific features now claimed: specifically the camouflage shape and the unique files, much less the details in the dependant claims of the user interface with color, varying power within the scan lines, and others.

Multiple enumerated claims also stand rejected over U.S. patent No. 6,252,196. This contention is respectfully traversed. Admittedly, '196 teaches energy density per-unit time. It does not, however, teach the camouflage pattern being formed, nor does it teach a unique output image being formed. It also does not teach the specific user interface referred to above. Therefore, it is respectfully suggested that these claims should be allowable over '196 for similar reasons to those discussed above.

Specifically, '196 does not teach a camouflage pattern being formed. Moreover, it would not be obvious to one of ordinary skill in the art to form such a camouflage pattern. As described above, the ordinary expectation in the art is that camouflage patterns may be formed using ink type processes. No one, prior to the present application, has ever taught were suggested forming the camouflage patterns in this

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way using laser to change the look of the material. Similarly, the other aspects, such as unique patterns, simply have not been taught by the prior art at all. None of the cited prior art teaches forming a pattern of this type which is totally unique for each application. This enables forming a material that is a one-of-a-kind material. No one in the prior art has ever taught or suggested such a feature. While '196 does teach other patterns such as polka dots, it does not teach the features that are now being claimed.

Multiple claims also stand rejected under 35 USC 103 as allegedly being anticipated by U.S. Patent No. 5,916,461. This contention is again respectfully traversed. Nowhere does '461 teach a camouflage pattern. Wavy lines would not be recognized by one of ordinary skill in the art as a camouflage pattern. Rather, this would merely be recognized as wavy faded lines. Therefore, it is respectfully suggested that '461 does not render obvious views claim limitations.

As described above, '461 further does not anticipate the claim limitations of the unique material, the user interface including different color's associated with different powers, and the other features described above. The dependant claims should be allowable for reasons discussed above.

In view of the above the amendments and remarks, therefore, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

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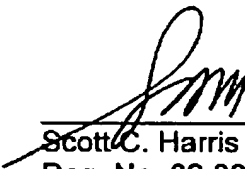
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Respectfully submitted,

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